

**IN THE CLAIMS:**

Please cancel Claim 37 and 49, *without prejudice*.

Please replace Claims 33, 34 and 38 with the following Amended Claims 33, 34 and 38 which read as follows:

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--33. (Amended) A method of preparing fenofibrate microparticles including a particle size reduction process such as sonication, homogenization, milling, microfluidization, recrystallization, and precipitation, or a combination thereof, the method comprising the steps of:

E1 (1) mixing the fenofibrate particles with (a) a natural or synthetic phospholipid and (b) at least one non-ionic, anionic or cationic surfactant, prior to or during the particle size reduction process, and thereafter

(2) applying energy to the mixture sufficient to produce fenofibrate microparticles having a volume-weighted mean particle size value that is about 50% smaller than particles produced without the presence of the surfactant using the same energy input.--

--34. (Amended) The method of claim 33, wherein step (1) further comprises mixing the fenofibrate particles with (a) at least two phospholipids and at least one surfactant, (b) a phospholipid and at least two surfactants, or (c) at least two phospholipids and at least two surfactants.--

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E2 --38. (Amended) The method of claim 33, wherein the fenofibrate particles are 5-100  $\mu\text{m}$  in size, such that the fenofibrate microparticles have a volume-weighted mean particle size value that is about 80% smaller than particles produced without the presence of the surfactant using the same energy input.--

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